



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** September 15, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 1

**SUBJECT:**

ZONING CASE Z-2022-10700182 S

(Associated Plan Amendment PA-2022-11600069)

**SUMMARY:**

**Current Zoning:** "RM-4 UC-4 AHOD" Residential Mixed North St. Mary's Street Urban Corridor Airport Hazard Overlay District, "O-2 UC-4 AHOD" High-Rise Office North St. Mary's Street Urban Corridor Airport Hazard Overlay District and "MF-33 UC-4 AHOD" Multi-Family North St. Mary's Street Urban Corridor Airport Hazard Overlay District

**Requested Zoning:** "C-1 UC-4 AHOD" Commercial North St. Mary's Street Urban Corridor Airport Hazard Overlay District on Lot 4 and Lot 5, Block 2, NCB 6201 and "C-1 S UC-4 AHOD" Commercial North St. Mary's Street Urban Corridor Airport Hazard Overlay District with a Specific Use Authorization for a Commercial Parking Lot on Lot 71 and Lot 72, NCB 3098, and Lot 87, Block 2, NCB 3099, and 0.120 acres out of NCB 3099

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** September 6, 2022. This case is continued from the August 16, 2022 hearing.

**Case Manager:** Mirko Maravi, Planning Coordinator

**Property Owner:** 2902 North St. Mary's LLC

**Applicant:** Patrick Christensen, P.C.

**Representative:** Patrick Christensen, P.C.

**Location:** 610 and 618 East Woodlawn Avenue, 2902 North Saint Mary's Street, 412 and 416 East Craig Place

**Legal Description:** Lot 4 and Lot 5, Block 2, NCB 6201, Lot 71 and Lot 72, NCB 3098, Lot 87, Block 2, NCB 3099 and 0.120 acres out of NCB 3099

**Total Acreage:** 1.0552

**Notices Mailed**

**Owners of Property within 200 feet:** 51

**Registered Neighborhood Associations within 200 feet:** Tobin Hill Neighborhood Association

**Applicable Agencies:** Fort Sam Houston, Planning Department, TxDOT

**Property Details**

**Property History:** The subject property was part of the original 36 square miles of the City of San Antonio and zoned "B" Residence District, "C" Apartment District and "F" Local Retail District. A portion of the property was rezoned by Ordinance 82914, dated September 28, 1995 to "O-1" Office District. The remaining property was rezoned by Ordinance 83331, dated December 14, 1995 to "R-2" Two-Family Residence District, "R-2A" Three and Four-Family Residence District, and "R-3" Multiple-Family Residence District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-2" Two-Family Residence District, "R-2A" Three and Four-Family Residence District, "R-3" Multiple-Family Residence District, and "O-1" Office District converted to the current "RM-4" Residential Mixed District, "MF-33" Multi-Family District, and "O-2" High-Rise Office District.

**Topography:** The property does not include any abnormal physical features such as slope or incursion in a floodplain.

**Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** "C-3"

**Current Land Uses:** Parking

**Direction:** South

**Current Base Zoning:** "C-2P"

**Current Land Uses:** Parking

**Direction:** East

**Current Base Zoning:** "R-6" and "RM-4"

**Current Land Uses:** Residential

**Direction:** West

**Current Base Zoning:** "C-2"

**Current Land Uses:** Commercial, Bar, Parking

**Overlay District Information:**

The “UC-4” North St. Mary's Street Urban Corridor overlay was established because there are many roadway corridors which have been and/or will continue to be very significant to the city. The corridors are important because they have shaped the sense of what individual neighborhoods are in their role as historic entrances to the city. Other corridors are significant because they serve as gateways to the city or because of surrounding natural, historic, cultural, and aesthetic areas. The establishment of “UC” serves to preserve, enhance, and perpetuate the value of specific roadway corridors. The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:** N/A

**Transportation**

**Thoroughfare:** North Saint Mary's

**Existing Character:** Collector

**Proposed Changes:** North St. Mary's (East Mistletoe Ave to West Josephine) -- Improve N. St. Mary's from Mistletoe to Josephine including sidewalk connectivity, intersection improvements and signal enhancements as appropriate and within available funding.

**Thoroughfare:** East Craig Place

**Existing Character:** Local

**Proposed Changes:** None known

**Thoroughfare:** East Woodlawn Avenue

**Existing Character:** Local

**Proposed Changes:** None known

**Public Transit:** There is public transportation within walking distance of the subject property.

**Routes Served:** 8

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** There are no parking requirements for a commercial parking lot.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** “RM-4” Residential Mixed District allows single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, accessory dwelling, with a minimum lot size of 4,000 square feet and a minimum lot width of 15 feet, public and private schools.

“O-2” High Rise Office districts provide for the establishment of low to high-rise office buildings. Examples of permitted uses include offices, parks, and schools. Other uses listed as “permitted” in the UDC Nonresidential Use Matrix are only allowed as accessory uses to a primary and principal office use. A minimum 65-foot buffer zoned NC, C-1 or O-1 shall be provided when abutting residential uses or zoning. Outdoor display or sale of merchandise is prohibited.

“MF-33” Multi-Family District allows multi-family development with a maximum density of 33 units per acre.

**Proposed Zoning:** “C-1” Light Commercial districts accommodate neighborhood commercial uses which depend on a greater volume of vehicular traffic than an NC district. C-1 uses are considered appropriate buffers between residential uses and C-2 and C-3 districts and uses. Building size is limited to 5,000 square feet. Examples of permitted uses: arcade, boarding house, noncommercial athletic field, retail furniture sales, grocery store, nursery (retail – no growing of plants on site permitted), retail office equipment and supply, and retail rug or carpet sales. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The “S” Specific Use Authorization will allow a Commercial Parking Lot.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The property is within the Midtown Regional Center and within the Premium Transit Corridor.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

The applicant removed the property at 418 East Craig from consideration at the hearing.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

- 1. Consistency:** The subject property is located within the Midtown Area Regional Center and is currently designated as “Neighborhood Mixed Use and Urban Low Density Residential” in the future land use component of the plan. The requested “C-1” base zoning district is not consistent with the future land use designation. The applicant has requested a Plan Amendment to “Neighborhood Mixed Use”. Staff and Planning Commission recommend Approval.
- 2. Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are zoned “MF-33” Multi-Family District, “C-3” General Commercial and “RM-4” Residential Mixed District.

3. **Suitability as Presently Zoned:** The existing “RM-4” Residential Mixed and “MF” Multi-Family District are appropriate for the property. The existing “O-2” High Rise Office is not appropriate. The proposed “C-1” Light Commercial is a downzoning of the “O-2” and complements the surrounding “RM-4” and “MF-33” Multi-Family Districts. The proposed “C-1” Light Commercial also acts as a buffer and transition to existing zoning and uses and provides goods and services to the area.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does not appear to conflict with any public policy objectives of the Midtown Area Regional Center Plan:

Goal 4: Support Unique, Mixed Activity Areas - Foster an appropriate mix, density, and orientation of land uses in each part of Midtown to maintain the character of unique places, such as the North St. Mary’s Street music culture.

Goal 7: Stimulate a Thriving Economy - Create more employment opportunities to continue attracting a diverse residential population.

Goal 11: Grow Unique Destinations - Support other thriving retail, entertainment, and cultural destinations that already have a community and successful identity, such as the Pearl District, St. Mary’s Street, and Main Street.

6. **Size of Tract:** The 1.0552 acre site is of sufficient size to accommodate the proposed commercial development.
7. **Other Factors:** In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of a zoning change does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed use has been submitted for review to the Office of Historic Preservation. There are historic age structures present on these properties. A 30-day review period is required for demolition.

The applicant is rezoning to allow parking and commercial development on the multiple lots.